

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

277E0778

SENATE BILL NO. 252

Introduced by: Senator de Hueck and Representative Garnos

1 FOR AN ACT ENTITLED, An Act to provide for the establishment of the School and Public
2 Lands Paleontology Advisory Council and to prescribe its duties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. The commissioner of school and public lands may establish the School and Public
5 Lands Paleontology Advisory Council to consult with and assist the commissioner in formulating
6 state policy with regard to paleontological activities on school and public lands as well as
7 determining suitable repositories for paleontological specimens recovered from school and public
8 lands. The council shall consist of not more than five state citizens who are knowledgeable in the
9 science of paleontology, whether professional or amateur, and shall be appointed by, and serve
10 at the pleasure of, the commissioner.

11 Section 2. That § 5-1-16 be amended to read as follows:

12 5-1-16. The commissioner of school and public lands ~~shall~~ may promulgate rules pursuant
13 to chapter 1-26 governing the issuance of permits required in § 5-1-15. ~~The rules shall include~~
14 including:

15 (1) Minimum permittee qualifications;

- (2) Duration of permit;
- (3) For excavation permits, coordination with the lessee for entry to the property for the purposes of the permit;
- (4) For excavation permits, research designs that provide for the recovery of the maximum amount of scientific, paleontological, and educational information, in addition to the physical recovery of specimens and the reporting of paleontological information meeting current standards of scientific rigor;
- (5) The need, if any, to submit data obtained in the course of field investigations to the commissioner;
- (6) ~~Proof of consultation with a qualified paleontologist regarding curation of collections;~~
- (7) Fees not to exceed twenty-five dollars for an exploration permit and two hundred fifty dollars for an excavation permit; and
- (8) Permit application forms.

Section 3. That § 5-1-17 be amended to read as follows:

5-1-17. No person may remove from the state, any specimen from lands under the jurisdiction of the commissioner of school and public lands, without permission from the commissioner, ~~after consultation~~ who may consult with the lessee, the School and Public Lands Paleontology Advisory Council, and any other agencies managing other interests in the land.

Section 4. That § 5-1-18 be amended to read as follows:

5-1-18. Any scientifically significant paleontological collections recovered from lands under the jurisdiction of the commissioner of school and public lands are the property of the state. The repository or curation facility for collections from such lands shall be designated by the commissioner in consultation with ~~a qualified paleontologist~~ the School and Public Lands Paleontology Advisory Council.